



THE STATUTES OF THE REPUBLIC OF SINGAPORE

STATE LANDS ENCROACHMENTS ACT 1883

2020 REVISED EDITION

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State Lands Encroachments Act 1883

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An Act to prevent encroachments upon State lands.

[2 November 1883]

Short title

1. This Act is the State Lands Encroachments Act 1883.

Information of encroachment

2. A Magistrate's Court, upon the sworn information of the Commissioner of Lands, or of any land revenue or other public officer, charging any person with being in unlawful occupation of any State land, may issue a summons for the appearance before it of that person.

Removal of unlawful occupants

3.—(1) The Magistrate's Court shall proceed in a summary way in the presence of the parties, or in case of wilful absence of any person against whom such information has been laid, then in his absence, to hear and determine the information.

(2) In any action commenced under section 2 for the removal of any person in unlawful occupation of State land, the defendant may within such time as may be prescribed by the Rules of Court for the time being in force, apply to the General Division of the High Court for the action to be transferred to the General Division of the High Court on the ground that the defendant is claiming title to the land.

[5/2014; 40/2019]

(3) On the hearing of any such application, the General Division of the High Court, if it is satisfied that a bona fide claim of title is raised, may make an order for the action to be transferred to the General Division of the High Court.

[40/2019]

Warrant issuable by court for dispossession

4.—(1) The Magistrate's Court on being satisfied of the truth of the information shall issue a warrant addressed to the Commissioner of Police or to any police officer requiring him forthwith to dispossess and remove that person from the land, and on behalf of the State to take possession of the land, together with all crops growing thereon, and all buildings and other immovable property upon and affixed thereto, and all movable property found thereon.

(2) The person to whom the warrant is addressed shall forthwith carry it into execution.

(3) Such warrant shall not issue until a period of 48 hours has elapsed from the time of adjudication.

(4) The Government may forfeit any movable property which has been seized on the land pursuant to the execution of a warrant referred to in subsection (1) if such movable property has been seized after the expiry of a period of 28 days from the date of service of a written notice on the unlawful occupants of the land requiring them to vacate the land and warning them that if any movable property thereon is not so removed within 28 days of the date of service of the notice that property may be seized and forfeited to the Government.

(5) If the summons is dismissed, the Magistrate's Court may order payment by the Government to the party against whom it was issued of such sum as the Court considers to be the amount of costs fairly incurred.

Forms

5. The information, summons and warrant respectively referred to in sections 2 and 4 may be in the forms A, B and C in the Schedule.

Demolition of unlawful buildings

6.—(1) A Magistrate's Court, upon the sworn information of the Commissioner of Lands, or of any land revenue or other public officer, that any building has been erected or constructed upon State land without lawful authority, shall issue a summons calling upon any person interested to show cause why an order should not be made declaring the building to be State property and authorising its demolition by or under the authority of the Commissioner of Lands, or any land revenue or other public officer.

(2) That summons shall forthwith be posted or affixed by a court officer to the building referred to in the summons or as near thereto as may be practicable and no other service of the summons shall be necessary.